

REMARKS

Claims 1, 2, 4, 6-10 and 12-17 are pending in the present application. Applicants respectfully request reconsideration and withdrawal of all outstanding rejections.

Issues Under 35 U.S.C. § 102(b) and § 103(a)

Claims 1, 2, 4 and 6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being obvious over Schreyer '083 (U.S. Patent No. 3,085,083), Bailey '435 (U.S. Patent No. 3,969,435) or Roura '351 (U.S. Patent No. 4,001,351). Further, claims 1, 2, 4 and 6 have been rejected under 35 U.S.C. § 102(b) as being anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as being obvious over Carlson '758 (U.S. Patent No. 3,674,758) as evidenced by Bro '763 (U.S. Patent No. 2,946,763).

All of the above-noted rejections are respectfully traversed for the reasons stated in Applicants' "Reply After Final Under 37 C.F.R. § 1.116" (filed June 10, 2003).

In addition, the Advisory Action dated June 24, 2003 states that the June 10 Reply After Final raises "new issues," wherein "comparative data is not submitted in the form of evidence" (see "Continuation of 2.", page 2 of the Advisory Action). In response to the Advisory Action, Applicants herein submit a Declaration Under 37

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C.F.R. § 1.132 by co-inventor Yoshiyuki Hiraga. Therefore, comparative data is in the form of evidence, and Applicants respectfully request consideration of such comparative data as evidence of patentability for the present invention, and as well as reconsideration of the June 10 Reply After Final.

Conclusion

Based on the above remarks, Applicants respectfully submit that the present invention is patentably distinguishable from the cited references. Thus, Applicants respectfully request that a timely Notice of Allowance be issued in the present case.

A full and complete response has been made to all issues as cited in the Office Action. Thus, Applicants respectfully request that the Examiner pass the application to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

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required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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0020-4746P

Attachment: Declaration under 37 C.F.R. § 1.132

(Rev. 02/20/02)